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| MICHIGAN DEPARTMENT OF CORRECTIONS<br><b>POLICY DIRECTIVE</b> |  | EFFECTIVE DATE<br>03/27/2006  | NUMBER<br>04.05.120 |
| SUBJECT<br>SEGREGATION STANDARDS                              |  | SUPERSEDES<br>04.05.120 (02/14/05)  |                     |
|   |  | AUTHORITY<br>MCL 791.203; 791.204; 791.251 et seq.;<br>791.262; 791-264; Administrative Rules<br>791.4401; 791.5501 |                     |
|   |  | ACA STANDARDS<br>4-4249 through 4-4273; 4-4400  |                     |
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## POLICY STATEMENT:

Prisoners shall be given a hearing prior to placement in any form of segregation other than temporary segregation or voluntary protective segregation. All segregation prisoners shall be provided with property, program and activity access as outlined in this policy.

## RELATED POLICIES:

03.03.105 Prisoner Discipline  
04.05.112 Managing Disruptive Prisoners  
04.06.182 Mentally Ill Prisoners in Segregation

## POLICY:

### DEFINITIONS

- A. Qualified Mental Health Professional: A psychiatrist, psychologist, social worker, psychiatric nurse, clinical nurse specialist or other trained mental health professional licensed by the State of Michigan or certified to practice within the scope of his/her training.

### GENERAL INFORMATION

- B. Segregation cells are designated cells used to physically separate prisoners with special management needs from the general population and limit that prisoner's movement inside the institution. Such confinement is used to achieve effective administrative management, maximum disciplinary control and individual prisoner protection.
- C. Only those institutions identified in Attachment A shall have segregation cells. Segregation cells shall not be located at a camp. Only authorized segregation cells shall be used to house prisoners who need to be separated from the general population except as otherwise provided by this policy or as specifically authorized by the Correctional Facilities Administration (CFA) Deputy Director.
- D. This policy does not apply to a holding area within the institution in which a prisoner who needs to be immediately separated from the general population may be placed for a few hours while staff determine the appropriate action to be taken (e.g., transfer; placement in temporary segregation; return to general population). Holding areas shall not be used in lieu of temporary segregation or any other form of segregation.
- E. Questions regarding required hearings for classification to segregation may be directed to the Office of Policy and Hearings.

### TYPES OF SEGREGATION

#### TEMPORARY SEGREGATION

- F. Temporary segregation is used when it is necessary to remove a prisoner from general population

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pending a hearing for a major misconduct violation, classification to administrative or protective segregation, or transfer. A prisoner's placement in temporary segregation shall be documented in writing and approved by the Warden or designee within 72 hours after the prisoner's placement in temporary segregation. The prisoner does not have to be provided written notice of placement in temporary segregation; however, if it is the intent to classify the prisoner to administrative or involuntary protective segregation, a Notice of Intent to Classify to Segregation (CSJ-447) shall be issued as set forth in Paragraph L or Q, as applicable.

G. Wardens shall ensure that prisoners are not confined in temporary segregation for more than seven business days except under the following circumstances; the day on which a prisoner is placed in temporary segregation is not counted in this time limit but the day on which the prisoner is released is counted:

1. The prisoner signed a written waiver for voluntary placement in protective segregation as set forth in Paragraph R.
2. A hearing officer in the State Office of Administrative Hearings and Rules (SOAHR), Department of Labor and Economic Growth, found reasonable cause for delay at a hearing conducted on a major misconduct violation or on proposed placement in administrative or involuntary protective segregation.
3. The prisoner was classified to administrative or protective segregation at a facility which does not have such housing and is awaiting transfer to an institution with such housing or, if classified to protection, to general population at a facility where his/her protection needs can be met. In these cases, the prisoner shall be transferred as soon as possible.

#### ADMINISTRATIVE SEGREGATION

H. Administrative segregation is the most restrictive level of security classification. A prisoner may be classified to administrative segregation only for the following reasons:

1. The prisoner demonstrates an inability to be managed with general population privileges;
2. The prisoner is a serious threat to the physical safety of staff or other prisoners or to the good order of the facility;
3. The prisoner is a serious escape risk;
4. The prisoner is under investigation by an outside authority for suspected felonious behavior;
5. The prisoner tests positive for HIV infection and is subsequently found guilty of a major misconduct for behavior which could transmit HIV infection, as set forth in PD 03.04.120 "Control of Communicable Bloodborne Diseases". The prisoner shall not be reclassified without prior authorization of the CFA Deputy Director. The prisoner may be placed in a health care inpatient unit if necessary to receive medical care, including mental health care.

I. A prisoner may be quarantined in an administrative segregation cell if s/he refuses required medical screening, testing, or treatment for a communicable disease as set forth in PD 03.04.110 "Control of Communicable Diseases".

#### Required Hearings

J. A prisoner may not be placed in or classified to administrative segregation without a hearing first being conducted by SOAHR pursuant to Administrative Rule 791.3315. A hearing is required even if the prisoner is placed in or classified to administrative segregation directly from protective segregation.

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- K. A prisoner may be classified to administrative segregation after being found guilty of major misconduct. In such cases, a second hearing is not required, but the classification shall occur promptly after the major misconduct hearing or upon completion of any detention sanction. The Security Classification Committee (SCC) shall complete a Security Reclassification Notice (CSJ-423) prior to classification to administrative segregation and indicate the reason for the classification on the form.
- L. If the proposed classification is not based on a guilty finding for major misconduct, or behavior for which a major misconduct may be written, appropriate staff shall prepare a Notice of Intent to Classify to Segregation (CSJ-447). The Notice shall set forth the facts which are believed to warrant classification to administrative segregation in sufficient detail to provide the prisoner with notice and an opportunity to defend himself/herself at the hearing. The Notice shall be reviewed with the prisoner at least 24 hours prior to the hearing. The hearing shall be conducted within seven business days after the prisoner's placement in temporary segregation unless the hearing officer determines that there is reasonable cause for delay. The day on which a prisoner is placed in temporary segregation is not counted in the seven business day time limit; however, the day on which the hearing occurs is counted. A notice will not be dismissed for being untimely, but will be reported by the hearing officer to the Warden and, through the appropriate chain of command, to the Administrator of the Office of Policy and Hearings or designee. The Warden shall be responsible for notifying the appropriate Regional Prison Administrator (RPA) and the CFA Deputy Director.
- M. At the hearing, the hearing officer will determine whether the facts alleged in the Notice have been established by a preponderance of evidence, consistent with criteria set forth in the Department's Hearings Handbook. SCC shall then decide whether the facts as found by the hearing officer establish a need for administrative segregation pursuant to the standards set forth in this policy. The hearing officer's findings and the SCC decision shall be recorded on the Segregation Classification Hearing Report (CSJ-446), a copy of which shall be provided to the prisoner promptly after the SCC decision has been made.
- N. If the Notice of Intent to Classify to Segregation is not upheld by the hearing officer, the prisoner shall not be classified to segregation. The Notice and the Segregation Classification Hearing Report shall be retained in the hearing investigator's files, along with the hearing investigator's report if one was prepared, for at least two years after the date of the hearing. The reports shall not be kept in any of the prisoner's commitment files.
- O. The hearing officer's decision may be appealed by either the prisoner or the Warden by submitting a completed Request for Rehearing (CSJ-418) to the Office of Policy and Hearings. However, the prisoner may appeal the SCC decision only through the grievance process.

#### PROTECTIVE SEGREGATION

- P. Protective segregation provides physical separation of prisoners from the general population in order to protect them from harm by other prisoners. A prisoner may be classified voluntarily or involuntarily to protective segregation. A prisoner shall be classified to protective segregation only if SCC determines that there is a reasonable basis to believe the prisoner needs protection, based on a review of the facts provided by the prisoner or, if a hearing was conducted, as found by the hearing officer; however, prior to classification to protective segregation, staff shall attempt to transfer the prisoner to another housing unit or to general population at another institution that will adequately meet the prisoner's protection needs.
- Q. A hearing conducted by SOAHR pursuant to Administrative Rule 791.3315 is required to classify a prisoner involuntarily to protective segregation. The prisoner shall be placed in temporary segregation or, if the institution does not have temporary segregation cells, in other suitable housing, pending the hearing. A Notice of Intent to Classify to Segregation shall be issued and a hearing conducted and a determination made by SCC regarding placement in the same manner as set forth in Paragraphs L through N for classification to administrative segregation. The hearing officer's decision may be appealed in the same manner as set forth in Paragraph O for administrative segregation decisions.

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- R. A hearing is not required to classify a prisoner voluntarily to protective segregation. Instead, a prisoner who requests protection shall be placed immediately in temporary segregation or, if the institution does not have temporary segregation cells, in other suitable housing. A Request for Protective Segregation Agreement (CSJ-465) shall be reviewed with the prisoner and signed by both the prisoner and the reviewing staff member; a copy shall be forwarded immediately to the Deputy Warden for SCC review. If SCC determines that protection is needed, a Notice of Intent to Classify to Segregation (CSJ-447) shall be completed, the waiver for protective segregation signed by the prisoner, and the prisoner classified to and placed in protective segregation. If SCC determines that protection is not needed, reasons for this finding shall be documented on the request for protective segregation agreement.
- S. A prisoner classified to protective segregation shall be housed in a protective segregation cell or, if the institution does not have protective segregation cells, in other appropriate housing. If placed in other than a protective segregation cell, the prisoner shall be transferred as soon as possible to either a protective segregation cell or to general population at an appropriate institution where his/her protection needs can be met. A prisoner shall remain in protective segregation only as long as his/her protection needs cannot be met through a transfer to general population at an appropriate institution.

#### PUNITIVE SEGREGATION (DETENTION)

- T. A prisoner shall be placed in punitive segregation only to serve a detention sanction for major misconduct as ordered by a SOAHR hearing officer consistent with PD 03.03.105 "Prisoner Discipline". If administratively feasible, a detention sanction shall be served in a cell designated for punitive segregation rather than in a designated administrative segregation cell. A prisoner shall not remain on detention status for longer than the period of time ordered by the hearing officer.

#### PROPERTY, PROGRAM AND ACTIVITY ACCESS

- U. Subject to the restrictions set forth in Attachment B, a prisoner in any type of segregation shall be provided with or allowed to possess the following:
1. Adequate health care, including prescription medication as authorized by health care staff.
  2. Wheelchair, walker, hearing aid, prostheses, eyeglasses and other medically necessary items authorized pursuant to PD 04.06.160 "Medical Details and Special Accommodation Notices".
  3. State-issued clothing in accordance with PD 04.07.110 "State-Issued Items and Cell/Room Furnishings for Prisoners".
  4. One personal winter coat or jacket and one pair of personal winter gloves in accordance with PD 04.07.112 "Prisoner Personal Property."
  5. A mirror, as approved by the CFA Deputy Director, which shall be provided only as part of the cell furnishings.
  6. Sitting surface.
  7. Writing surface.
  8. Toothbrush (short handled only), toothpaste or powder, denture cup if needed, soap, shampoo, deodorant, toilet paper, suitable comb/pick/ hairbrush, shaving gear, and, for female prisoners, sanitary napkins.
  9. Three meals per day served from the same menu available to general population prisoners.
  10. Opportunity to shave and shower at least three times weekly.

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11. Mattress, blanket, pillow, pillow case and two sheets with weekly linen changes, and a towel and face cloth with changes three times weekly.
12. Hair care services commensurate with general population prisoners.
13. Mail privileges in accordance with PD 05.03.118 "Prisoner Mail", including the receipt of personal correspondence and photographs.
14. Visits in accordance with PD 05.03.140 "Prisoner Visiting", except when restricted as a sanction for major misconduct. Prisoners may be required to wear restraints if authorized by the Warden or Deputy Warden.
15. Reasonable access to legal property. This includes materials pertaining to the prisoner's personal litigation, and legal material of another prisoner provided there is a current valid agreement for legal assistance with the other prisoner, in accordance with PD 05.03.116 "Prisoners' Access to the Courts and Legal Assistance", as modified by the applicable Director's Office Memoranda. Access to legal property must be provided within 48 hours of the prisoner's request.
16. Institution law library services in accordance with PD 05.03.115 "Law Libraries".
17. Access to institutional general library services in accordance with PD 05.03.110 "Institutional Library Services".
18. Writing materials, including paper and pens or pencils. Pens and pencils shall not exceed 4 inches in length, except in protective segregation units.
19. Written copy of segregation unit rules which shall include directions for requesting personal services.
20. Telephone privileges for verified serious family emergencies, as determined by the Warden or designee, and for communicating with an attorney upon request of the attorney.
21. Reading materials from the prisoner's personal collection.
22. A minimum of one hour per day, five days per week of out-of-cell exercise except that, for reasons of safety or security, a prisoner serving a sanction of detention or loss of privileges which includes the loss of yard may be provided such exercise only after s/he has served a period of time determined by the Warden or Deputy Warden; however, the prisoner shall not be deprived of out-of-cell exercise for more than 30 consecutive days without being provided a seven-day break during which the prisoner shall be given the opportunity for out-of-cell exercise at least one hour per day, five days per week.
23. Notary public services, which shall be provided within two business days of request.
24. Prisoner store ordering arrangements for metered envelopes and, as approved by the Warden for purchase by segregation prisoners, mandatory health care products, over-the-counter personal care products, and hygiene products as identified on the Standardized Store List pursuant to PD 04.02.130 "Prisoner Store".
25. If married or widowed, one plain wedding band/set without stones or insignia.
26. Personal property necessary to the practice of the prisoner's designated religion, as set forth in PD 05.03.150 "Religious Beliefs and Practices of Prisoners".

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- V. In addition to the items and privileges identified in Paragraph U, a prisoner classified to administrative segregation shall be permitted all of the following:
1. Recreation, educational programming, and religious programming to the extent they are administratively feasible and can be safely afforded. Such privileges shall not be provided in a group setting.
  2. Personal property as set forth in the Personal Property section of this policy.
  3. Typewriter access for a minimum two hour block per week.
- W. In addition to items and privileges identified in Paragraph U, a prisoner classified to protective segregation shall be permitted all of the following at times and locations which do not allow contact with general population prisoners:
1. Work assignments to the extent feasible.
  2. Out-of-cell time.
  3. Educational programming through in-cell study or in groups.
  4. Meals served in groups.
  5. Recreation, which shall include group outside exercise.
  6. Religious programming, which shall include group religious services to the extent feasible.
  7. Other group activities, to the extent feasible.
  8. Telephone privileges commensurate with general population prisoners at that institution and in accordance with PD 05.03.130 "Prisoner Telephone Use".
  9. Prisoner store ordering arrangements commensurate with general population prisoners at that institution and in accordance with PD 04.02.130 "Prisoner Store".
  10. Personal property as set forth in the Personal Property section of this policy.
  11. Typewriter access for a minimum two hour block per week.

#### PERSONAL PROPERTY

- X. Prisoners in temporary or punitive segregation shall not be permitted to possess personal property except as specifically authorized pursuant to Paragraph U. The Warden also may prohibit prisoners in temporary or punitive segregation from purchasing items they are not authorized to possess.
- Y. Prisoners classified to administrative segregation shall be permitted to possess only those items authorized for general population prisoners in the highest security level of the institution where the segregation unit is located, subject to the following limitations:
1. They may not possess any item identified on Attachment B. The Warden also may prohibit prisoners from purchasing such items while in administrative segregation.
  2. Unless the item is specifically authorized pursuant to Paragraph U, the Warden may limit the purchase and possession of consumable or expendable items available for purchase through the prisoner store.

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3. The Warden may restrict the purchase and/or possession of all personal clothing items, except a winter coat or jacket, winter gloves, and items necessary to the practice of the prisoner's designated religion as identified in PD 05.03.150 "Religious Beliefs and Practices of Prisoners".
- Z. Prisoners in an administrative segregation unit shall not have property which exceeds that which can be contained in one state issued duffel bag or similarly sized container(s) authorized by the CFA Deputy Director, or one footlocker. This includes all personal property of the prisoner and all state-issued clothing issued to the prisoner while in segregation, except for authorized excess legal property and medically necessary non-clothing items as authorized by the appropriate health care provider and approved by the Warden.
- AA. Personal property which a prisoner in temporary, administrative or punitive segregation is not authorized to possess shall be stored for the prisoner, including all authorized excess legal property. The prisoner shall be permitted reasonable access to stored legal property within 48 hours after request, and shall be permitted to exchange any of it for other legal property in his/her possession. The total amount of property possessed by a prisoner in administrative or punitive segregation, plus property stored for that prisoner, shall not exceed the quantity limit set forth in PD 04.07.112 "Prisoner Personal Property" for general population prisoners in the highest security level of the institution. Property in excess of these limits shall be disposed of as set forth in PD 04.07.112 "Prisoner Personal Property".
- BB. Prisoners housed in a protective segregation unit shall be permitted to possess the same amount of property and types of personal property authorized by PD 04.07.112 "Prisoner Personal Property" for general population prisoners in the highest security level of the institution where the protective segregation unit is located. Property in excess of that limit shall be disposed of as set forth in PD 04.07.112, except that if the prisoner was transferred to a higher security level facility for placement in a protective segregation unit, the excess property shall be stored by the receiving facility for at least 30 days before disposal so that the prisoner is not deprived of the property if a transfer to general population can be arranged which meets his/her protection needs.

#### ADDITIONAL RESTRICTIONS FOR SAFETY AND SECURITY

- CC. Items and privileges described in Paragraph U or V may be withheld from a prisoner in any form of segregation other than protective segregation for serious reasons of safety or security upon written approval from the Warden or Deputy Warden and, for medically necessary items, in accordance with PD 04.06.160 "Medical Details and Special Accommodation Notices". However, prisoners shall not be denied adequate health care, meals, and at least one shower per week. If a restriction on state-issued clothing, cell furnishings, medically necessary items, or hygiene items is approved, the Warden or Deputy Warden shall ensure that an adequate substitution is provided. In all cases, the reason for the restriction shall be documented on the Restriction of Segregation Property and Privileges form (CAJ-687). If the restriction was authorized by the Deputy Warden, a copy shall be forwarded to the Warden.
- DD. No item or activity shall be withheld from a prisoner for the purpose of punishment. Restrictions shall be imposed only as long as is necessary to address the safety or security concern. All such restrictions shall be reviewed at least every seven calendar days by the Warden or Deputy Warden and a determination made as to whether the restriction needs to be continued. The appropriate RPA shall be notified whenever a restriction exceeds 30 calendar days.

#### Electricity Restriction

- EE. If a prisoner in any form of segregation other than protective segregation is a known fire starter, the electricity in that prisoner's cell may be shut off consistent with the requirements set forth in Paragraphs CC and DD.

#### Water Restriction

- FF. A prisoner in any form of segregation other than protective segregation may be placed on a water

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restriction consistent with the requirements set forth in Paragraphs CC and DD, provided appropriate health care staff has been contacted to determine the level of risk to the prisoner's health if the restriction is imposed. The level of risk shall be documented on the Restriction of Segregation Property and Privileges form (CAJ-687). The Warden or Deputy Warden shall consider the level of health risk when determining whether to approve the restriction. If there is a high level of health risk, a water restriction shall be imposed only with written approval of the appropriate RPA.

- GG. Whenever a water restriction is imposed, water in the prisoner's cell shall be turned on at least twice per shift and during meals; however, water shall remain on at all times during a heat alert unless otherwise approved by the appropriate RPA. If the RPA approves keeping a prisoner on a water restriction during a heat alert, the water shall be turned on at least hourly. In all cases, the shift commander shall visit each prisoner on a water restriction at least once each shift to determine if additional water needs to be provided. In all cases, a prisoner on a water restriction shall have access to water as necessary to meet documented medical needs. It shall be noted in the Special Housing Unit Record (CAJ-278) whenever water is offered or provided to a prisoner on a water restriction.

#### Paper/Combustible Restriction

- HH. A prisoner in any form of segregation other than protective segregation may be placed on a paper or combustible restriction consistent with the requirements set forth in Paragraphs CC and DD. However, a paper restriction shall be imposed only under the most serious circumstances (e.g., starting fires, repeated covering of the cell window with paper, fashioning weapons out of paper, damaging sprinkler head) and not for general housekeeping violations (e.g., refusing to pick up or properly store paper). A combustible restriction shall be imposed only for starting fires or damaging a sprinkler head.
- II. If a paper restriction is imposed, all paper items shall be removed from the prisoner's cell and retained by the Resident Unit Manager (RUM), Case Manager, or Assistant Resident Unit Supervisor (ARUS) during the time the prisoner is on the paper restriction. If a combustible restriction is imposed, all combustible items other than adequate clothing, bedding and necessary hygiene items, as determined by the Warden or designee, may similarly be removed from the prisoner's cell subject to the restrictions set forth in Paragraph CC. A prisoner on either a paper or combustible restriction shall be allowed access to the following items at reasonable intervals under staff supervision:
1. Misconduct reports that are pending a hearing or an appeal, and Request for Rehearing forms in accordance with PD 03.03.105 "Prisoner Discipline";
  2. Pending grievances and grievance forms in accordance with PD 03.02.130 "Prisoner/Parolee Grievances";
  3. Documents identified by the prisoner as immediately necessary to meet a court deadline for pending litigation;
  4. Items from the main law library as set forth in PD 05.03.115 "Law Libraries".
- JJ. Upon request, a prisoner on a paper or combustible restriction also shall be provided access to writing paper, envelopes, and other paper items, with approval of the Warden or Deputy Warden.
- KK. Items which are removed from the prisoner's cell and the dates and times the prisoner is allowed access to the papers authorized in Paragraphs II and JJ shall be documented on the Special Housing Unit Record (CAJ-278).

#### FOOD LOAF

- LL. A prisoner in any form of segregation may be fed food loaf in lieu of his/her regular meals for engaging in any of the following behavior, unless the prisoner is on a medically prescribed liquid or pureed diet:



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1. Misuse of food, serving tray or eating utensils;
2. Refusing or failing to return uneaten food, the serving tray, dishes or eating utensils to the door slot;
3. Destroying a serving tray or throwing a tray or food;
4. Using containers to hold or throw other substances, such as water or human waste products.

MM. A prisoner shall not be fed food loaf without approval of the Warden or designee; a Food Loaf Request form (CAJ-689) shall be completed to document the prisoner's behavior and obtain food loaf approval. If food loaf is approved, the Warden or designee shall identify a period of time not to exceed seven calendar days during which the prisoner is to be fed food loaf and ensure that the housing unit and the Food Service Director or designee are notified of that decision. The prisoner shall be fed food loaf only for the period of time authorized by the Warden or designee. If food loaf is approved by other than the Warden, notification of that approval shall be sent to the Warden for review.

NN. When notified that a prisoner is authorized to be fed food loaf, the Food Service Director or designee shall contact appropriate health care staff to determine if the prisoner has any food allergies or other medical condition that would affect feeding the prisoner a food loaf. The prisoner shall not be fed a food loaf that contains any food item to which the prisoner is known to be allergic or is otherwise medically contraindicated. Unless the prisoner is unable to be fed food loaf for medical reasons, the prisoner shall be provided food loaf in lieu of his/her regular meals beginning at the next scheduled meal and for the duration of the approved period. The food loaf shall be tightly wrapped and sealed and carried to the prisoner's cell on a tray; however, the prisoner shall be given only the wrapped loaf and not the tray. The loaf shall be provided during the regular breakfast, lunch and dinner times. A prisoner on food loaf shall be provided drinking water in his/her cell, which shall be through a drinking faucet or "bubbler" where available.

OO. The Manager of the Food Services Section, CFA, shall maintain standardized recipes for food loaves, including meatless recipes. The Food Services Section Manager also shall develop specialized recipes when necessary to meet the religious or medical needs of the prisoner. Food loaves shall meet the nutritional and caloric requirements set forth in PD 04.07.100 "Offender Meals". The Food Services Section Manager shall ensure that the recipes are available to all Food Service Directors of institutions that have segregation units. Only recipes approved by the Food Services Section Manager shall be used to prepare food loaves.

#### QUIET CELL

PP. A quiet cell is a room or cell in a segregation unit which is equipped with a second, solid door which separates a prisoner from other unit prisoners by both sight and sound. When both doors are closed, a cell or room shall be operated as a quiet cell. Whenever a disruptive prisoner is moved to a quiet cell, the move shall be made in accordance with PD 04.05.112 "Managing Disruptive Prisoners".

QQ. A disruptive prisoner confined in a quiet cell shall be visually checked by staff to at least every 15 minutes to ensure the prisoner's well-being. A prisoner shall be promptly removed from quiet cell status after remaining calm for two consecutive hours, as directed by the shift commander; however, the prisoner may be removed prior to that time if it is reasonably believed that the prisoner will no longer be disruptive. Continued disruptive behavior shall be documented in the unit's logbook.

RR. The Warden shall receive prompt written notice whenever a prisoner's behavior requires quiet cell confinement for longer than eight consecutive hours. The prisoner shall be immediately referred for an evaluation by a qualified mental health professional, who shall conduct the evaluation as soon as possible after receipt of the referral. A prisoner found to be manifesting serious mental illness or severe mental disorder shall be managed in accordance with PD 04.06.182 "Mentally Ill Prisoners in Segregation". If a prisoner is found to not be manifesting serious mental illness or severe mental

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disorder, that shall be documented in the housing unit logbook and in the prisoner's health record by the qualified mental health professional. Under no circumstances shall a prisoner be held in a quiet cell for longer than 24 consecutive hours.

#### STAFF ROUNDS AND INSPECTIONS

- SS. Staff shall conduct rounds in protective segregation units on an irregular schedule at intervals no greater in length than one hour and as required by PD 04.04.100 "Custody, Security and Safety Systems". Other rounds and inspections required in this section do not apply to protective segregation.
- TT. A logbook for recording significant unit activities, including rounds, shall be maintained for each segregation unit. Relevant information about each prisoner admitted to a segregation unit shall be recorded in the unit's logbook, including the prisoner's name and number, cell assignment, admission date, rule infraction or other reason for admission, and identified special medical or psychiatric needs.
- UU. In order to ensure the prisoner's well-being, housing unit staff shall visually check each segregated prisoner on an irregular schedule at intervals no greater in length than 30 minutes. The exact time of each check and the inspecting staff member's initials shall be recorded on the Segregation Checklist (CAJ-894) or other positive record keeping system (e.g., computerized electronic rounding) as approved by the CFA Deputy Director.
- VV. Rounds shall be made of each segregation unit as set forth in PD 04.04.100 "Custody, Security and Safety Systems".
- WW. Each segregated prisoner shall be seen at least daily by members of the housing unit team. Segregation prisoners displaying symptoms of serious mental illness or severe mental disorder shall be promptly assessed in accordance with PD 04.06.182 "Mentally Ill Prisoners in Segregation".
- XX. Program staff shall visit a segregated prisoner upon request of segregation unit staff or as otherwise provided by Department policy. Each visit shall be documented in the unit's logbook.
- YY. Showers, exercise, meals, cell changes, and other pertinent information shall be documented on the Special Housing Unit Record (CAJ-278). Health care checks shall be documented in the unit's logbook and in the prisoner's health record on the Segregation/Detention Rounds form (CHJ-214).

#### MEDICAL AND PSYCHOLOGICAL/PSYCHIATRIC ROUNDS AND ASSESSMENTS

- ZZ. Nursing staff shall make daily rounds in segregation units to collect written requests for health care services from prisoners and to follow up on health care concerns as set forth in PD 03.04.100 "Health Services". Rounds also shall be made at least every two weeks by a medical service provider (i.e., a physician, physician assistant or nurse practitioner licensed by the State of Michigan or certified to practice within the scope of his/her training). The presence of health care staff shall be announced and documented in the unit's logbook.
- AAA. Whenever a prisoner is placed in segregation, health care staff shall be notified and shall provide health care services consistent with PD 03.04.100 "Health Services". The prisoner also shall be screened as set forth in PD 04.06.182 "Mentally Ill Prisoners in Segregation". A prisoner placed in segregation who previously successfully completed treatment in an inpatient psychiatric unit or a residential treatment program and is on an out-patient mental health team's active caseload shall be immediately referred to the CFA Deputy Director or designee as set forth in PD 04.06.182.
- BBB. Each segregation unit shall be visited by a qualified mental health provider at least every two weeks for the purpose of monitoring prisoners' mental health condition. A prisoner who exhibits signs of serious mental illness or severe mental disorder shall be immediately referred to a qualified mental health professional for further evaluation and possible treatment in accordance with PD 04.06.182.

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CCC. The Warden shall be informed immediately in writing by the attending qualified mental health professional of any condition observed in the segregation unit which may present a serious threat to a prisoner's mental health. The qualified mental health professional shall record each visit, including identified problems, in the unit's logbook.

DDD. A prisoner confined in a segregation unit for longer than 30 consecutive days shall receive a personal interview and psychological assessment by a qualified mental health professional. A prisoner requiring long-term segregation shall receive subsequent personal interviews and psychological assessments at intervals of not more than three months. The results of a psychological assessment shall be recorded on the Psychological Report (CHJ-171) or Segregation Psychological Screening form (CHJ-551), as appropriate, and be recorded in the prisoner's health record.

#### REVIEW OF SEGREGATION PLACEMENT

EEE. The behavioral adjustment of each prisoner in administrative or protective segregation shall be regularly reviewed by SCC or the housing unit team. Reviews shall include a personal interview with each prisoner and shall occur at intervals of no more than seven calendar days during the first two months of segregation and at intervals of no more than 30 calendar days thereafter. Each review shall be documented on the Administrative Segregation Behavior Review form (CSJ-283).

FFF. Confinement in administrative or punitive segregation for more than 30 consecutive days requires approval of the Warden; for prisoners in administrative segregation, a Request for Administrative Segregation Continuance (CSJ-283a) shall be used for this purpose. Approval of the RPA also is required to confine a prisoner in administrative segregation for more than 60 consecutive days. In such cases, the Warden shall ensure a copy of the completed Administrative Segregation Behavior Review and approved Request for Administrative Segregation Continuance is forwarded to the appropriate RPA for review and approval each month until the prisoner is reclassified and released from administrative segregation.

GGG. RPAs shall personally interview each prisoner in their respective regions who has been confined in administrative segregation for twelve continuous months. Written documentation of each interview shall be submitted to the CFA Deputy Director within 30 calendar days after the interview was conducted.

#### RELEASE FROM SEGREGATION

HHH. A prisoner shall be reclassified from administrative segregation only with the approval of SCC and the concurrence of the Warden or designee; however, a prisoner confined to administrative segregation as a result of an assault on staff resulting in serious physical injury on staff may be reclassified only with written approval of the Warden and the appropriate RPA. The CFA Deputy Director also may require written approval of both the Warden and RPA to reclassify a prisoner who poses a unique concern. Wardens shall use a Request for RPA Approval to Reclassify from Administrative Segregation (CSJ-283b) to obtain approval in such cases. If the RPA does not approve the Warden's request, the RPA shall personally interview the prisoner within six months after denial of the request.

III. A decision to reclassify and release a prisoner from administrative segregation shall be based upon the following factors:

1. Assessment of the prisoner's behavior and attitude while in segregation to determine if it is consistent with the behavior and attitude of prisoners in the general population;
2. Review of the circumstances which necessitated segregation as well as any history of prior behavior which also required segregation;
3. Evaluation of the prisoner's potential to honor the trust implicit in less restrictive confinement;
4. Assessment of the prisoner's need for correctional mental health programming;

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- JJJ. A prisoner who is reclassified to general population shall be placed in a general population cell as soon as administratively feasible.
- KKK. A prisoner shall be reclassified and released from protective segregation only with the approval of SCC after it is determined that a reasonable alternative placement is available to meet the prisoner's protection needs or, with concurrence of the Warden or designee, protection is no longer reasonably believed to be needed. A prisoner shall not be permitted to waive protective segregation if it has been determined that continued placement in protective segregation is necessary for the prisoner's safety.
- LLL. A prisoner shall be removed from punitive segregation immediately upon termination of the detention sanction.

#### STAFF

- MMM. Segregation unit operations shall be supervised by staff of at least the rank of Assistant Deputy Warden.
- NNN. Qualities of professionalism, experience and work effectiveness demonstrated while under stressful conditions shall be considered when selecting staff for segregation unit assignments. If possible, segregation unit staff shall be rotated to a non-segregation unit assignment as often as needed to ensure effective segregation unit management.

#### OPERATING PROCEDURES

- OOO. Wardens shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive; this shall be completed within 60 calendar days after the effective date of the policy directive. This requirement includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed. Facility procedures shall not conflict with procedures issued by the Director or Deputy Director.

#### AUDIT ELEMENTS

- PPP. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist Wardens with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

#### ATTACHMENTS

- QQQ. This policy directive contains the following attachments:
1. Attachment A - Institutions with Segregation Cells
  2. Attachment B - Items Not Allowed in Segregation

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## ATTACHMENT A

### INSTITUTIONS WITH SEGREGATION CELLS

#### **Administrative Segregation**

Only the following institutions shall have administrative segregation cells:

|   |   |
|---|---|
| Alger Maximum Correctional Facility (LMF)     | Kinross Correctional Facility (KCF)           |
| Baraga Maximum Correctional Facility (AMF)    | Marquette Branch Prison (MBP)                 |
| Bellamy Creek Correctional Facility (IBC)     | Oaks Correctional Facility (ECF)              |
| Carson City Correctional Facility (DRF)       | Robert Scott Correctional Facility (SCF)      |
| Chippewa Correctional Facility (URF)          | Southern Michigan Correctional Facility (JMF) |
| Earnest C. Brooks Correctional Facility (LRF) | St. Louis Correctional Facility (SLF)         |
| G. Robert Cotton Correctional Facility (JCF)  | Standish Maximum Correctional Facility (SMF)  |
| Ionia Maximum Correctional Facility (ICF)     |   |

#### **Protective Segregation**

Only the following institutions shall have protective segregation cells:

|   |  |
|---|--|
| Bellamy Creek Correctional Facility (IBC) | Robert Scott Correctional Facility (SCF)     |
| Kinross Correctional Facility (KCF)       | Standish Maximum Correctional Facility (SMF) |

#### **Punitive Segregation (Detention)**

Only the following institutions shall have punitive segregation (detention) cells:

|   |  |
|---|--|
| Alger Maximum Correctional Facility (LMF)     | Marquette Branch Prison (MBP)                  |
| Baraga Maximum Correctional Facility (AMF)    | Mound Correctional Facility (NRF)              |
| Bellamy Creek Correctional Facility (IBC)     | Oaks Correctional Facility (ECF)               |
| Carson City Correctional Facility (DRF)       | Richard A. Handlon Correctional Facility (MTU) |
| Chippewa Correctional Facility (URF)          | Robert Scott Correctional Facility (SCF)       |
| Earnest C. Brooks Correctional Facility (LRF) | Ryan Correctional Facility (RRF)               |
| G. Robert Cotton Correctional Facility (JCF)  | Saginaw Correctional Facility (SRF)            |
| Gus Harrison Correctional Facility (ARF)      | Southern Michigan Correctional Facility (JMF)  |
| Huron Valley Complex - Women (WHV)            | St. Louis Correctional Facility (SLF)          |
| Ionia Maximum Correctional Facility (ICF)     | Standish Maximum Correctional Facility (SMF)   |
| Kinross Correctional Facility (KCF)           | Thumb Correctional Facility (TCF)              |
| Macomb Correctional Facility (MRF)            |  |

#### **Temporary Segregation**

Only the following institutions shall have temporary segregation cells:

|   |  |
|---|--|
| Alger Maximum Correctional Facility (LMF)     | Marquette Branch Prison (MBP)                  |
| Baraga Maximum Correctional Facility (AMF)    | Mound Correctional Facility (NRF)              |
| Bellamy Creek Correctional Facility (IBC)     | Muskegon Correctional Facility (MCF)           |
| Carson City Correctional Facility (DRF)       | Newberry Correctional Facility (NCF)           |
| Chippewa Correctional Facility (URF)          | Oaks Correctional Facility (ECF)               |
| Earnest C. Brooks Correctional Facility (LRF) | Ojibway Correctional Facility (OCF)            |
| Florence Crane Correctional Facility (ACF)    | Richard A. Handlon Correctional Facility (MTU) |
| G. Robert Cotton Correctional Facility (JCF)  | Riverside Correctional Facility (RCF)          |
| Gus Harrison Correctional Facility (ARF)      | Robert Scott Correctional Facility (SCF)       |
| Huron Valley Complex - Men (HVM)              | Ryan Correctional Facility (RRF)               |
| Huron Valley Complex - Women (WHV)            | Saginaw Correctional Facility (SRF)            |
| Ionia Maximum Correctional Facility (ICF)     | Southern Michigan Correctional Facility (JMF)  |
| Kinross Correctional Facility (KCF)           | St. Louis Correctional Facility (SLF)          |
| Lakeland Correctional Facility (LCF)          | Standish Maximum Correctional Facility (SMF)   |
| Macomb Correctional Facility (MRF)            | Thumb Correctional Facility (TCF)              |

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## ATTACHMENT B

### ITEMS NOT ALLOWED IN SEGREGATION

For security reasons, prisoners in temporary, administrative or punitive segregation shall not be allowed to possess the following items:

1. A/C adapters
2. Appliances operated only by A/C adapters and/or batteries
3. Athletic supporters
4. Batteries - AA, AAA, C and D
5. Belts
6. Cassette tapes, if allowed to have tape player or combination radio/tape player under no. 2 above
7. Cassette tape cases
8. Dental floss in excess of 18 inch maximum length
9. Drawstrings
10. Extension cords
11. Hangers
12. Hard-soled shoes
13. Hobbycraft materials
14. Nail clippers – this does not apply to state-issued nail clippers
15. Neck chains
16. Needles and pins
17. Padlocks
18. Paper bags
19. Paper clamps, paper clips, metal clips, staples, rubber bands
20. Shoelaces
21. Tobacco, cigarette papers, matches - prisoners whose designated religion is Native American may possess tobacco for the prisoner's medicine bag; staff shall provide access to matches for smudging
22. Squirt bottles - this does not apply to prescription eye drops
23. Strings, ropes, cords, strips of leather
24. Sunglasses
25. T.V. converter boxes
26. Thumb tacks/push pins
27. Tweezers
28. Typewriters

#### Religious Items

1. Crosses/crucifixes
2. Moorish Science Temple of America badges
3. Moorish Science Temple of America lapel pins
4. Oms
5. Pentagrams
6. Star and Crescent pendants
7. Stars of David
8. Tefillins
9. Thor's hammers
10. Turbans

Attachment A to PD 05.03.150 "Religious Beliefs and Practices of Prisoners" identifies materials necessary to the practice of a prisoner's religion. The following materials are only required during group religious services; therefore, prisoners in temporary, administrative and punitive segregation shall not be allowed to possess the following items:

1. Bow ties
2. Fez/fez bag